IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16574 of 2004

Between:
Pudi Sudheer Reddy, S/o. P. Radha Krishna Reddy,
aged about 26 years, R/o. Balaji Nagar, Nellore,
Nellore District.

..... PETITIONER

AND

1.The A.P. State Road Transport Corporation,
rep. by its Depot Manager, Depot No. 1, Nellore,
Nellore District.
2. The Regional Manager, A.P.S.R.T.C., Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order, or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in causing obstructions to the petitioner in running Pan and Bookstall under the name and style of Ramya Pan and Book Stall at Room No. 5, Nellore Main Bus Station while the license granted to run the shop is subsisting as illegal, irregular, arbitrary, unconstitutional, unjustified and unsustainable and hold that the petitioner is entitled to carry on the business in the said stall till the expiry of the Licence period.

Counsel for the Petitioner: MR.P.VEERA REDDY

Counsel for the Respondent Nos.1&2: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the stage of admission made the following :

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THE HONOURABLE DR. JUSTICE G.YETHIRAJULU

Writ Petition No.16574 of 2004

ORDER:

The petitioner is a licensee of one of the shop rooms of the first respondent/depot. He was issued a show-cause notice on 21.08.2004 informing the petitioner that he committed default in payment of rent for more than three months, therefore, he was directed to show cause as to why his lease shall not be terminated.

2. The learned counsel for the petitioner submits that the petitioner paid the rent for April, May and June also. But, without noticing the said fact, the first respondent resorted to issue the impugned show-cause notice, therefore, he approached this Court, with a grievance that though the petitioner produced all the documents in proof of payment of the rents, the first respondent is causing obstacles to the petitioner from running his business, therefore, he approached this Court seeking a direction to the first respondent not to create obstacles in running the business of the petitioner as a lessee.

3. In the light of the circumstances explained by the petitioner, the first respondent is directed to continue to allow the petitioner as a licensee during the period of licence, on condition of payment of arrears of rent, if any, due as on 01.09.2004. If any amount is due, on verification of the record of the first respondent, the petitioner shall remit the said amount on or before 30.09.2004. If the petitioner commits default in payment of rent, the first respondent is at liberty to take action against the petitioner according to rules and regulations.

4. The writ petition is accordingly disposed of. No costs.

Dr.G.YETHIRAJULU, J

Dated: 16th September, 2004.
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ASSSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To
1.The Depot Manager, A.P.S.R.T.C., Depot No.I, Nellore, Nellore District.
2.The Regional Manager, A.P.S.R.T.C., Nellore.
3. Two C.D. copies.